

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Panchayat Raj and Rural Development Department – Allegations of irregularities in execution of the works “Road from (R&B) road to Bheemakrosupalem and “BT to the road from 1/0 of L021 of Kothalanka and failed to follow the departmental procedure - Sri P.Prabhakar Reddy, the then Superintending Engineer, Panchayat Raj, Kakinada, East Godavari District and now retired – Departmental proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 - Articles of Charges - Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 845

Dated: 04.09.2014.

Read the following:-

G.O.Ms.No.128, PR&RD(Vig.I) Deptt., dt.04.09.2014.

ORDER:

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980 for instituting departmental proceedings against Sri P.Prabhakar Reddy, the then Superintending Engineer, Panchayat Raj, Kakinada, East Godavari District and now retired vide G.O.Ms.No.128, PR&RD [Vig.I] Deptt., dt.04.09.2014. It is proposed to hold an enquiry against Sri P.Prabhakar Reddy, the then Superintending Engineer, PR, in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure II and III).

3. Sri P.Prabhakar Reddy, the then Superintending Engineer, Panchayat Raj, Kakinada, East Godavari District (Now retired) is directed to submit written statement of his defence within [10] days from the receipt of this order.

4. Sri P.Prabhakar Reddy, the then Superintending Engineer, Panchayat Raj, Kakinada, East Godavari District (Now retired) is informed that an inquiry will be held only in respect of those articles of charges which are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri P.Prabhakar Reddy, the then Superintending Engineer, Panchayat Raj, Kakinada, East Godavari District (Now retired) is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails to comply with the provisions of Rule 20 of APCS [CC&A] Rules, 1991, or the orders issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him ex parte, based on the material available on record.

6. Sri P.Prabhakar Reddy, the then Superintending Engineer, PR, Kakinada, East Godavari District (Now retired), is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri P.Prabhakar Reddy, the then SE, PR, Kakinada, East Godavari District (Now retired), is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(PTO)

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7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. K.S JAWAHAR REDDY,
SECRETARY TO GOVERNMENT.

To

Sri P.Prabhakar Reddy, the then Superintending Engineer,
Panchayat Raj, Kakinada, EG District and now retired
through the Engineer-in-Chief, PR, Hyderabad.

The Engineer-in-Chief, PR, Hyderabad.

(with a request to serve and return the
dated acknowledgement copy)

Copy to:

The PR&RD(Estt.I) Department.

SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER.

ANNEXURE - I

Statement showing the Draft Article of Charges against Sri P.Prabhakar Reddy, the then Superintending Engineer, PR, Kakinada, EG District now Retired as Chief Engineer (PR)

CHARGE No.1:

that Sri P.Prabhakar Reddy, the then Superintending Engineer, PR, Kakinada EG Dist now retired as Chief Engineer (PR) has misused his official position for his personal gain and committed certain allegations of irregularities in the execution of the work “Road from (R&B) road to Bheemakrosupalem, sanctioned under PMGSY Grant, as he has failed to follow the departmental procedure and invite quotations for supply of material in local NEWS Paper even though the cost of work is more than Rs.70.00 Lakhs resulting loss to the Govt. exchequer in contravening the APCS Rules, 1964.

Basis:

The V&E has inspected the work ““Road from (R&B) road to Bheemakrosupalem on 16-08-2008 and communicated Report No.50(171/V&E/E2/2008), dt:29-04-2013 and observed the following:

The work “Road from (R&B) road to Bheemakrosupalem, was administratively sanctioned vide G.O.Rt No173 PR & RD dept dated:28.04.2007 for Rs. 73.22 lakhs under PMGSY Scheme and Technical sanction was accorded for Rs. 73.22 lakhs by the Chief Engineer, PR, Hyderabad vide CR No Nil/07-08 dated: 10.05.2007.

- Quotations were taken from three individuals i.e i) Sri C.Vara Prasad Rao, Class 1 contractor, Ravulapalem ii) Sri P.Srinivas Reddy Contractor, Rajahmundry iii) Sri S.Satyanarayana Reddy, Sree Sitatamanjaneya Lorry Service, Ubalanka, Ravulapalem (M) for supply of material, widening of existing embankment and from i) Sri P Satyanarayana Reddy, Class 1 Contractor ii) Sri K.Ammi Reddy, Class II Civil Contractor & iii) Sri M.Anjaneya Reddy, Class-1, Contractor for providing BT layer which is a finished item of work, without following departmental norms and procedure.
- Comparative statements were prepared and the lowest quotation of Sri S.Satyanarayana Reddy , Sri Sitaramnjanaya Lorry Service, Ubalanka, Ravulapalem(M) for supply of material & widening of existing embankment and Sri M.Anjneya Reddy Class-1, Contractor for providing BT layer were recommended for approval by the then EE(PR) Dn Rajahmundry.
- The then SE,PR Kakinada approved the same and work orders were issued for supply material, providing BT layer, construction & Widening of existing embankment etc., to two firms i.e., Sri S.Satyanarayana Reddy, Managing Director, Sri Sitaramanjaneya Lorry Service & Sri M.Anjaneya Reddy for Rs.36,22,819/- & Rs 24,14,354/- respectively amounting Rs 60,37,173/- and the details of the work orders are as follows.

Sl. No.	Work Order No & Date	Work order issued to	Items	Amount
1	AE3/PMGSY/06-07 Dt:03-09-2007.	Sri S.Satyanarayana Reddy, M.D., Sree Sitaramanjaneya Lorry Service	Grade-II HBG Metal (63 to 45mm) Screening chips (11.20mm), Quarry dust	1,267,798.00
2	AE3/PMGSY/06-07 Dt:03-09-2007.	Sri S.Satyanarayana Reddy, M.D., Sree Sitaramanjaneya Lorry Service	Construction of widening of existing embankment inclusive of compaction	183,161.00
3	AE3/PMGSY/06-07 Dt:01-10-2007.	Sri S.Satyanarayana Reddy, M.D., Sree Sitaramanjaneya	Grade-III HBG metal (53 to	1,427,950.00

		Lorry Service	22.4mm), screening chips (11.20mm)	
4	AE3/PMGSY/06-07 Dt:07-11-2007.	Sri M.Anjaneya Reddy, Spl. Class Contractor, Rajahmundry	Single coat surface dressing, tack coat, OGPC+SC	2,414,354.00
5	AE3/PMGSY/06-07 Dt:10-12-2007.	Sri S.Satyanarayana Reddy, M.D., Sree Sitaramanjaneya Lorry Service	Supply of gravel	743,910.00
			Total	6,037,173.00

- The Deputy Executive Engineer, PRI SD Ramachandrapuram in his letter dated: 11.03.2013, has informed that there were no records available in the office regarding invitation of sealed quotations for the work. It is observed that the quotations were received in the name of the EE, but there were no initials of the officers who opened the quotations. Hence it is only an afterthought to show that sealed quotations were invited for supply of material by the Departmental officials.
- Sealed quotations were not invited from the Contractors for supply of material/labour duly giving wide publicity. Minimum requirements in selection of the material supplier/labour were not followed like eligibility of the Contractor in supply of material/labour, registrations details and notification in the local papers for supply of material. Further the minimum contract conditions such as EMD, time for supply of material, defect liability period etc., were not mentioned in the quotations.
- Verification of work order revealed that there is a formal agreement with the material supplier for such huge magnitude of work and there is no mention about the EMD to be collected, execution period, defect liability period, statutory deductions to be made and other contractual obligations.
- Verification of Bank statement and record produced by the field engineers regarding details and disbursement revealed that, two cheques for Rs. 23,64,680/- & Rs.22,27,820/- were received by the AEE, PR, K.Gannavaram (M) towards for L.S 1st bill and L.S 2nd part bill respectively and credited the same in SBH, Kakindada on 06.11.2007 and 18.12.2007 along with other work cheques. The amount was disbursed to Sri C.VAraprasad, Sri D Sridhar and D Eswera Rao instead of lowest quoted agency M/s Seetha Ramnajneya Lorry service represented by Sri S.Satyanaryana Reddy.
- The CC 3rd part bill was prepared by A Nageshwara Rao, the then MEO, RC puram as the AEE, PR of K.Gannavaram(M)fell ill and the amount towards the work done items was paid to him through cheque for Rs 20,80,338/-and the same was credited in the account of MEO, RC Puram. Sri A.Nageshwara Rao, the then MEO, Ramachanrapuram withdrawn cash from the bank for disbursement and the details of disbursement are not recorded as payment was made in cash. No cheque payment was done to the suppliers by the MEO, Ramachandrapuram.
- The then CE, PMGSY, Hyderabad has called for explanation from Sri P.Prabhakar Reddy, the then SE(PR) for approving quotations for the finished items of work such as Single coat surface dressing, tack coat & OGPC+SC, But the then SE did not submit any explanation to the CE.
- Collection of metal, gravel was recorded in the register and M.Books. Payments were made with the working estimate rates of finished items of work. The rates in the work orders are higher than the approved working estimates rates for items of Grade-III HBG Metal, Single coat surface dressing, tack coat, OGPC & seal coat and for all the other items of work the approved quotation rates are either less than or equal less than or equal to the working estimate rates .The CE(PMGSY),PR in his memo vide Para no 4, has instructed that the payment should be made as per the approved working estimate rate or as per vouchers whichever is less, even then the instructions were not followed. The difference in cost of approved working estimate rates & work orders is Rs 2, 55,895/-.

Therefore, the above individual has failed to discharge his legitimate duties properly and failed to follow the departmental procedure and invite quotations for supply of material in local NEWS Paper even though the cost of work is more than Rs.70.00 Lakhs resulting loss to the Govt. exchequer and thus his action is violation of APCS Rules.

Hence, the Charge.

Charge No.2:

that Sri P.Prabhakar Reddy, the then Superintending Engineer, PR, Kakinada, EG Dist now retired CE(PR) has misused his official position for his personal gain and committed allegations of irregularities in the execution of the work “ B.T. To the Road from 1/0 of LO21 of Kothalanka sanctioned under PMGSY as he has failed to follow the departmental execution procedure and executed without inviting quotations from the material suppliers resulting loss to the Govt., exchequer in contravening the APCS Rules, 1964.

BASIS:

The V&E has inspected the work ““B.T to the road from 1/0 of LO21 to Kothalanka” on 21-10-2008 and communicated Report No.50(171/V&E/E2/2008), dt:29-04-2013 and observed the following:

The work “B.T. to the road 1/0 of LO21 to Kothalanka”, was administratively sanctioned vide G.O.Rt No173 PR & RD dept dated:28.04.2007 for Rs 76.12 lakhs under PMGSY Scheme and Technical sanction was accorded for Rs 76.12 lakhs by the Chief Engineer, PR, Hyderabad vide CR No Nil/07-08 dated: 10.05.2007.

- Through the work was executed Departmentally, quotations were not invited for supply of material/labour. After execution of part work, recording was done and bills were prepared by the field engineers. To substantiate the billed amount credit bills/vouchers/musters were obtained from the material suppliers/labour contractors and submitted along with the bills. The EE, PR, Amalapuram has issued pass orders and the EE (PIU), PR, Kakinada released payments to the AEE through cheque. The AEE disbursed the amounts to respective firms/labour contractors in cash after obtaining necessary cash bills.
- No registers were maintained for the material received at site.
- B.T. road was executed by getting required materials including bitumen emulsion SS-1, RS-1 and 60/70 grade bitumen from material supply contractor on credit basis, which is violation of rules.
- Sri K.Purushottam, the then EE and Sri P. Prabhakar Reddy the then SE, PR, Kakinada were check measured the items like collection and supply of Grade-II (63 mm to 45 mm size), HBG crushed metal, 11.20 mm size HBG crushed chips, 2.36 mm chips. B.T layer was check measured by the EE, but not by the SE.

Therefore, the above individual has failed to discharge his legitimate duties properly and failed to follow the departmental execution procedure and executed without inviting quotations from the material suppliers resulting loss to the Govt., exchequer in contravening the APCS Rules, 1964.

Hence, the Charge.

Dr. K.S JAWAHAR REDDY,
SECRETARY TO GOVERNMENT.

//FORWARDED BY ORDER//

SECTION OFFICER.

ANNEXURE-II

**LIST OF DOCUMENTS FOR WHICH THE ARTICLES OF CHARGES ARE
PROPOSED TO BE SUSTAINED**

V & E Report No.50 (171/V&E/E2/2008), dt:29-04-2013 of General
Administration (Vigilance & Enforcement Department) Department.

Dr. K.S JAWAHAR REDDY,
SECRETARY TO GOVERNMENT.

//FORWARDED BY ORDER//

SECTION OFFICER.

ANNEXURE-III

**LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES ARE PROPOSED
TO BE SUSTAINED,**

- NIL -

Dr. K.S JAWAHAR REDDY,
SECRETARY TO GOVERNMENT.

//FORWARDED BY ORDER//

SECTION OFFICER.